

SEP-23-2005 12:10

513 241 6234

RECEIVED  
CENTRAL FAX CENTER

513 241 6234 P.01/14

SEP 23 2005

**WOOD, HERRON & EVANS, L.L.P.**

BRUCE TITTEL  
DONALD F. FREI  
DAVID J. JOSEPHIC  
DAVID S. STALLARD  
J. ROBERT CHAMBERS  
GREGORY J. LUNN  
KURT L. GROSSMAN  
CLEMENT H. LUKEN, JR.  
THOMAS J. BURGER  
GREGORY F. AHRENS  
WAYNE L. JACOBS  
KURT A. SUMME  
KEVIN G. ROONEY  
KEITH R. HAUPP  
THEODORE R. REMAKLUS  
THOMAS W. HUMPHREY  
SCOTT A. STINEBRUNER  
DAVID H. BRINKMAN  
BEVERLY A. LYMAN, PH.D.  
KRISTI L. DAVIDSON

OF COUNSEL  
JOHN D. POFFENBERGER  
THOMAS W. FLYNN

2700 CAREW TOWER  
441 VINE STREET  
CINCINNATI, OHIO 45202-2917  
TELEPHONE: 513-241-2324  
FACSIMILE: 513-421-7269  
EMAIL: info@whepatent.com  
PATENT, TRADEMARK, COPYRIGHT  
AND UNFAIR COMPETITION LAW  
AND RELATED LITIGATION

EDMUND P. WOOD 1923-1968  
TRUMAN A. HERRON 1935-1976  
EDWARD B. EVANS 1936-1971

JOSEPH R. JORDAN  
C. RICHARD EBY  
DAVID E. PRITCHARD  
J. DWIGHT POFFENBERGER, JR.  
KATHRYN E. SMITH  
P. ANDREW BLATT, PH.D.  
DAVID E. JEFFERIES  
WILLIAM R. ALLEN, PH.D.  
JOHN PAUL DAVIS  
DOUGLAS A. SCHOLER  
BRETT A. SCHATZ  
DAVID W. DORTON  
SARAH OTTE GRABER  
STEVEN W. BENINTENDI, PH.D.  
RANDALL S. JACKSON, JR.  
TECHNICAL ADVISORS  
HENRY M. LABODA, PH.D.

September 23, 2005

**FACSIMILE COVER SHEET**

**To:** USPTO - Centralized Fax  
571-273-8300

**From:** Joseph R. Jordan

**re:** Application Serial No. 09/941,151

Pages: (including cover sheet) 14

RECEIVED  
OIPE/IAP

**COPY OF ALREADY FILED PAPER,  
WHICH DOES NOT APPEAR IN PAIR**

SEP 26 2005

The attached Amendment After Final Rejection and Petition for Extension of Time were filed with the USPTO via facsimile on September 19, 2005 as evidenced by the attached communication journal indicating 12 of 12 pages were transmitted.

A receipt fax was not received by us. The EBC informed us that the fax was down between 2 and 6 o'clock on September 19, 2005. The attached amendment does not appear in PAIR and we request that it be entered at this time.

The information in this facsimile message is ATTORNEY-CLIENT PRIVILEGED, WORK PRODUCT and/or CONFIDENTIAL INFORMATION intended only for the use of the individual or entity to whom this message is addressed. If the reader of this message is not the intended recipient or the employee or agent responsible for delivering it to the intended recipient, you are hereby notified that any dissemination, distribution or reproduction of this communication is strictly prohibited. If you have received this communication in error, please immediately notify us by telephone and return the original message to us at the above address via mail. Thank you.

If transmission is interrupted or of poor quality, please notify us immediately by calling (513) 241-2324 and ask for the sender's assistant. OUR FAX NUMBER IS (513) 421-7269.